

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-2341**

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SALLY DEE DIRICO,

Plaintiff - Appellant,

v.

VIRGINIA DEPARTMENT OF TRANSPORTATION, Christiansburg  
Residency; DAVID CLARKE, VDOT Christiansburg Residency;  
STACY KEITH; DONNA GRAHAM, VDOT Salem District,

Defendants - Appellees.

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Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. Samuel G. Wilson, District  
Judge. (7:13-cv-00440-SGW)

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Submitted: January 23, 2014

Decided: January 27, 2014

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Before WILKINSON and DIAZ, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Sally Dee DiRico, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sally Dee DiRico seeks to appeal the district court's order dismissing her in forma pauperis employment discrimination action without prejudice for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) (2012). This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541, 545-46 (1949). The order DiRico seeks to appeal is neither a final order nor an appealable interlocutory or collateral order, as DiRico may be able to save her action by amending her complaint to cure the pleading deficiencies that were identified by the district court. Domino Sugar Corp. v. Sugar Workers Local Union 392, 10 F.3d 1064, 1066-67 (4th Cir. 1993). Accordingly, we dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED